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NHTSA-04-18714-1

VOLKSWAGEN

12 July 2004



EXECUTIVE SECRETARIAT

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NATIONAL HIGHWAY
TRAFFIC SAFETY ADM.

Mr. Stephen R. Kratzke
Associate Administrator
for Safety Performance Standards
Room 5401
National Highway Traffic
Safety Administration
400 Seventh St., S.W.
Washington, D.C. 20590

**Safety Affairs and
Vehicle Testing**

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Auburn Hills, MI 48326
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DEPT OF TRANSPORTATION
DOCKETS

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Subject: *Petition for Exemption for Inconsequential Noncompliance to Federal Motor Vehicle Safety Standard 120, Tire Selection and Rims for Motor Vehicles other than Passenger Cars (Format of Tire Information Labels in Volkswagen Touareg Vehicles as specified in S5.3) pursuant to 49 CFR Part 556 (2004)*

Dear Mr. Kratzke:

This is a petition for an exemption pursuant to 49 CFR 556 from the notification and remedy requirements in 49 CFR Part 577 on the grounds that a noncompliance in approximately 23,017 Volkswagen Touareg MPV vehicles produced from November 3, 2003, to July 2, 2004, is inconsequential as it affects motor vehicle safety.

The vehicles were produced with a tire pressure label that was intended to comply with FMVSS 110, S4.3, located on the driver's side B-pillar. This label was in the new format of the amended FMVSS 110, S4.3, which had a mandatory effective date of September 1, 2004 (now deferred to September 1, 2005) to which optional compliance was permitted, and therefore did not show the vehicle GVWR and GAWR or the appropriate wheel rim size. The tire size, rim size, and inflation pressure information was not given on the Part 567 certification label and therefore the vehicles did not comply with either S4.3.3 of FMVSS 110 or with S5.3 of FMVSS 120.

Volkswagen believes that the failure of the tire information label on the driver's side B-pillar to include the vehicle weight values is inconsequential for motor vehicle safety because the weights are included on the certification label which is also mounted on the driver side B-pillar of the vehicle. Any consumer who is interested in the vehicle weights would be able to find those values on the certification label where they are included pursuant to the requirements of Part 567.4. The combination of the tire information label and the certification label adjacent to each other on the driver side B-pillar provided the GAWR, GVWR, tire size, and inflation pressure information.

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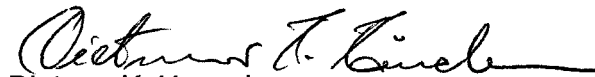
Volkswagen believes that the lack of rim size information on any of the labels does not create a risk to motor vehicle safety because any replacement tires of equivalent size to the factory installed tires or to any factory option tire would be compatible with the factory installed wheel rims. If an owner purchases wheel rims to replace those installed by Volkswagen, the selling dealer would be responsible for advising the owner on the compatible tire and wheel rim combination.

No customer complaints have been received regarding the lack of vehicle weights or wheel rim size information on the tire pressure information label.

Please contact me if we can provide you with any additional information or documentation in support of this petition.

Sincerely,

VOLKSWAGEN OF AMERICA, INC.



Dietmar K. Haenchen
Process Leader
Safety Affairs and Vehicle Testing

SGJ/blb

VOLKSWAGEN

12 July 2004



Kenneth N. Weinstein
Associate Administrator
for Enforcement
National Highway Traffic
Safety Administration
400 Seventh St., S.W.
Washington, D.C. 20590

Safety Affairs and
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Auburn Hills, MI 48326
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Subject: *Notification of Determination of Noncompliance to Federal Motor Vehicle
Safety Standard 120 pursuant to 49 CFR Part 573 (Volkswagen Touareg
vehicle line tire pressure labels)*

Dear Mr. Weinstein:

This noncompliance information report is filed pursuant to Title 49, Part 573 of the Code of Federal Regulations.

573.6(c)(1) Manufacturer/Importer filing Report

Volkswagen of America, Inc. (Volkswagen)

573.6(c)(2)(i) Identification of Vehicles or Equipment

2004 and 2005 model year Touareg MPV vehicles.

573.6(c)(3) Number of Vehicles affected

A total of approximately 23, 017 Touareg vehicles produced from November 3, 2003 until July 2, 2004, are affected.

573.6(c)(4) Percentage of Items containing the Noncompliance

All vehicles produced used the nonconforming tire pressure labels.

573.6(c)(5)

Description of Noncompliance

The vehicles were produced with a tire pressure label that was intended to comply with FMVSS 110, S4.3, located on the driver's side B-pillar. This label was in the new format of the amended FMVSS 110, S4.3, which had a mandatory effective date of September 1, 2004 (now deferred to September 1, 2005) to which optional compliance was permitted and therefore did not show the vehicle GVWR and GAWR or the appropriate wheel rim size. The tire size, rim size, and inflation pressure information was not given on the Part 567 certification label and therefore the vehicles did not comply with either S4.3.3 of FMVSS 110 or with S5.3 of FMVSS 120.

573.6(c)(6)

Basis for Noncompliance Determination

Volkswagen noted the noncompliance by inspection of the labels.

573.6(c)(7)

Noncompliance Test Reports

Not applicable.

573.6(c)(8)

Proposed Remedial Action

Effective July 5, 2004, Volkswagen has reverted to the label format used before November 3, 2003, which complies with FMVSS 120, S5.3(b). A petition for inconsequential noncompliance will be filed with regard to vehicles prior to the change. Volkswagen believes the noncompliance is inconsequential to motor vehicle safety because the GAWR and GVWR are shown on the certification label which was attached on the driver's side B-pillar immediately adjacent to the tire pressure label. The lack of rim size information does not create a risk to motor vehicle safety because any replacement tires of equivalent size to the factory installed tires or to any factory option tire would be compatible with the factory installed wheel rims. If an owner purchases wheel rims to replace those installed by Volkswagen, the selling dealer would be responsible for advising the owner on the compatible tire and wheel rim combination.

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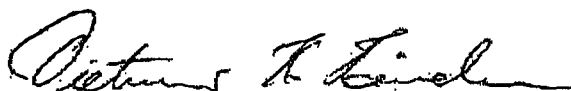
573.6(c)(9)

Submission of Communications relating to the Noncompliance

Not applicable.

Sincerely,

VOLKSWAGEN OF AMERICA, INC.



Dietmar K. Haenchen
Process Leader
Safety Affairs and Vehicle Testing

SGJ/bib